

REMARKS

The claims remaining in the application are 1-56. An amendment which has been added to several of the independent claims for “previously encoded information” can be found at numerous places in the specification, including, for example, the abstract. No new matter has been added.

Drawings

A copy of the formal drawings are submitted herewith with a copy of the Letter to the Official Draftsperson. Approval by the Examiner is respectfully requested.

Rejection Under 35 U.S.C. § 101

The Office Action has rejected claims 1-51 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

The Office Action states that “a direct recitation of a practical application” must be provided. See MPEP 2106 IV.B.2(b)(ii). Independent claims 1, 37, and 47 have been amended to more clearly point out that encoded information on a monochrome media is being decoded. This certainly falls within the requirement for a practical application in the technical arts. Information which has been stored in a monochrome format, as fully described in the specifications, for long term preservation is extracted using the present invention to recover data in the monochrome format related to color, hue, and numerous other characteristics of the originally stored document.

In addition, the Office Action states that there is a requirement for “a physical object or activity transformed from outside the computer.” See MPEP 2106 IV.B.2(b)(i). A step of scanning each pixel, as required by claims 1, 37, 47, 48, 50, 52, 54-56, clearly takes place outside of the computer as shown in Figure 1 of the present invention wherein a printed page 84 is digitized by a scanner 86 prior to the digitized data being sent a computer or CPU 88. Thus, the additional requirement for producing a useful, concrete, and tangible result is met.

The Office Action has rejected claims 52-56 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Independent claims 52 and 54-56 each contain a scanner of scanning means as discussed above. They therefore contain additional hardware operating in cooperation with a computer or CPU as defined by the claims. Thus, they are more than mere data structure, computational steps, or algorithms performed by a computer.

Applicant has amended claim 52 as suggested by the Office Action, to show that these computer computational steps may be contained on a computer readable medium.

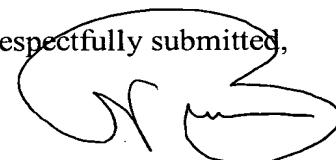
CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, none of the prior art cited by the Office Action discloses the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, she is invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 29,134

Nelson A. Blish/tmp
Rochester, NY 14650
Telephone: 585-588-2720
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.